

# Memorandum

To : Administrator  
Environmental Protection Agency  
Washington, D.C. 20460  
  
c/o Environmental Protection Agency  
Region IX  
215 Fremont Street  
San Francisco, California  
  
From : Department of Conservation—Division of Oil and Gas  
Sacramento

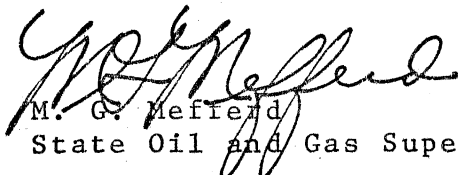
Date : April 20, 1981  
  
Subject: Application for  
Primacy-UIC Program,  
SDWA, Sec. 1425

Pursuant to Section 1425 of the Safe Drinking Water Act and the provisions of Section 1425 Guidance, the State of California, acting through the Division of Oil and Gas of the Department of Conservation, hereby requests primacy enforcement responsibility in California for those portions of the EPA's Underground Injection Control (UIC) Program for Class II wells as they relate to oil- and gas-production.

In support of the request for primacy, an application is attached that contains the following elements, as prescribed by Section 1425 Guidance.

- a) A letter from the Governor requesting approval of the state program;
- b) A statement of the legal authority to carry out the state program;
- c) A description of the program;
- d) Copies of the pertinent statutes and regulations;
- e) Copies of the pertinent state forms;
- f) A copy of a Memorandum of Agreement, signed by the Supervisor; and
- g) Maps and data on proposed aquifer exemptions.

If you have any questions regarding the application, do not hesitate to call either Bob Reid or me at (916) 445-9686.

  
M. G. Mefford  
State Oil and Gas Supervisor

Attachments

MEMORANDUM OF AGREEMENT  
BETWEEN THE ENVIRONMENTAL PROTECTION AGENCY AND  
THE CALIFORNIA DIVISION OF OIL AND GAS

UIC PROGRAM  
SECTION 1425 - SDWA

The California Division of Oil and Gas (CDOG) of the Department of Conservation and the Environmental Protection Agency (EPA) hereby agree to carry out the terms of the Underground Injection Control Program as listed below. These terms provide a commitment that the CDOG will carry out the program as authorized by Section 1425 of the Safe Drinking Water Act and the EPA will exercise its oversight authority consistent with procedures agreed upon by both agencies.

The terms are as follows:

1. The Division of Oil and Gas will carry out the program as described in the application for primacy of Class II wells, and will support the program by an appropriate level of staff and resources to assure that underground sources of drinking water are protected.
2. The Division of Oil and Gas will recognize the Environmental Protection Agency's right to examine any pertinent state files pertaining to underground injection control.
3. The Division of Oil and Gas will participate with the EPA in the inspection of wells or operator records to the fullest extent possible. EPA shall notify the division at least ten days prior to any proposed inspection and EPA shall describe the well(s) or record(s) to be inspected and the purpose of such inspection.
4. The Division of Oil and Gas recognizes EPA's authority to take federal enforcement action under Section 1423 of the Safe Drinking Water Act in cases where the state fails to take adequate enforcement action against a person violating the applicable requirements of the Underground Injection Control Program.
5. The Division of Oil and Gas agrees to provide the EPA an annual report on the operation of the state program, the content of which may be negotiated between the EPA and the Division of Oil and Gas from time to time.
6. Aquifer exemptions for Class II wells will be consistent with aquifer exemptions for the rest of the UIC program.
7. If appropriate and necessary, provisions for implementing a joint processing procedure may be negotiated between the EPA and CDOG for those facilities and activities which require permits from both agencies under different programs.

Memorandum of Agreement Between the  
Environmental Protection Agency and  
California Division of Oil and Gas  
Page 2

8. For any mechanical integrity tests, other than those specified or justified in the program application, the CDOG will notify the appropriate regional administrator and provide enough information about the proposed test that a judgment about its usefulness and reliability may be made.

\_\_\_\_\_  
REGIONAL ADMINISTRATOR  
ENVIRONMENTAL PROTECTION AGENCY  
REGION IX

  
\_\_\_\_\_  
STATE DIRECTOR  
CLASS II WELLS

\_\_\_\_\_  
Date

MEMORANDUM OF AGREEMENT  
BETWEEN THE ENVIRONMENTAL PROTECTION AGENCY AND  
THE CALIFORNIA DIVISION OF OIL AND GAS

UIC PROGRAM  
SECTION 1425 - SDWA

The California Division of Oil and Gas (CDOG) of the Department of Conservation and the Environmental Protection Agency (EPA) hereby agree to carry out the terms of the Underground Injection Control Program as listed below. These terms provide a commitment that the CDOG will carry out the program as authorized by Section 1425 of the Safe Drinking Water Act and the EPA will exercise its oversight authority consistent with procedures agreed upon by both agencies.

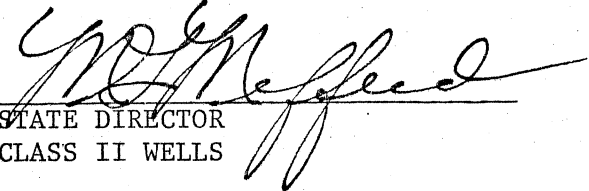
The terms are as follows:

1. The Division of Oil and Gas will carry out the program as described in the application for primacy of Class II wells, and will support the program by an appropriate level of staff and resources to assure that underground sources of drinking water are protected.
2. The Division of Oil and Gas will recognize the Environmental Protection Agency's right to examine any pertinent state files pertaining to underground injection control.
3. The Division of Oil and Gas will participate with the EPA in the inspection of wells or operator records to the fullest extent possible. EPA shall notify the division at least ten days prior to any proposed inspection and EPA shall describe the well(s) or record(s) to be inspected and the purpose of such inspection.
4. The Division of Oil and Gas recognizes EPA's authority to take federal enforcement action under Section 1423 of the Safe Drinking Water Act in cases where the state fails to take adequate enforcement action against a person violating the applicable requirements of the Underground Injection Control Program.
5. The Division of Oil and Gas agrees to provide the EPA an annual report on the operation of the state program, the content of which may be negotiated between the EPA and the Division of Oil and Gas from time to time.
6. Aquifer exemptions for Class II wells will be consistent with aquifer exemptions for the rest of the UIC program.
7. If appropriate and necessary, provisions for implementing a joint processing procedure may be negotiated between the EPA and CDOG for those facilities and activities which require permits from both agencies under different programs.

Memorandum of Agreement Between the  
Environmental Protection Agency and  
California Division of Oil and Gas  
Page 2

8. For any mechanical integrity tests, other than those specified or justified in the program application, the CDOG will notify the appropriate regional administrator and provide enough information about the proposed test that a judgment about its usefulness and reliability may be made.

\_\_\_\_\_  
REGIONAL ADMINISTRATOR  
ENVIRONMENTAL PROTECTION AGENCY  
REGION IX

  
\_\_\_\_\_  
STATE DIRECTOR  
CLASS II WELLS

\_\_\_\_\_  
Date